

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES)	DRAFT
)	
v.)	No. 18 CR 512
)	
EVAN MUSIKANTOW,)	Hon. Harry D. Leinenweber
)	
)	

PROTECTIVE ORDER GOVERNING DISCLOSURE OF INFORMATION

Upon the unopposed motion of the Defendant, Evan Musikantow and pursuant to Federal Rule of Criminal Procedure 16 (d) and 18 U.S.C. § 3771(a)(1) and (8), it is hereby ordered:

1. All materials provided pursuant to Defendant's subpoena to Apple American Group, in preparation for, or in connection with, any stage of the proceedings in this case (collectively, "the materials"), are subject to this protective order and may be used by Defendant, Defendant's counsel and government counsel (defined as counsel of record in this case) solely in connection with this case, and for no other purpose, or in connection with no other proceeding, without further order of this Court.

2. Defendant, Defendant's counsel and government counsel shall not disclose the materials or the contents directly or indirectly to any person or entity other than persons employed to assist in the prosecution, defense, persons who are interviewed as potential witnesses, counsel for potential witnesses, and other persons to whom the Court may authorize disclosure (collectively, "authorized persons"). Potential witnesses and their counsel may be shown copies of the materials as necessary to prepare the prosecution or defense, but may not retain copies without prior permission of the Court.

3. Certain copies of material produced pursuant to the subpoena may be marked "Attorneys

Eyes Only.” These documents may only be viewed by Defendant, counsel for the government or counsel for the Defendant.

4. Defendant, government counsel, Defendant’s counsel, and authorized persons shall not copy or reproduce the materials except in order to provide copies of the materials for use in connection with this case. Such copies and reproductions shall be treated in the same manner as the original materials.

5. Defendants, government counsel, Defendant’s counsel, and authorized person shall not disclose any notes or records of any kind that they make in relation to the contents of the materials, other than to authorized persons, and all such notes or records are to be treated in the same manner as the original materials.

6. Before providing materials to an authorized person, Defense counsel must provide the authorized person with a copy of this Order.

7. Upon conclusion of all stages of this case, all of the materials shall be disposed of in one of three ways, unless otherwise ordered by the Court. The materials may be (1) destroyed; (2) returned to Apple American Group; or (3) retained in defense counsel’s case file. The Court may require a certification as to the disposition of such materials. In the event that the materials are retained by defense counsel, the restrictions of this Order continue in effect for as long as the materials are so maintained, and the materials may not be disseminated or used in connection with any other matter without further order of the Court.

8. To the extent any material is produced by Apple American Group to Defendant or Defendant’s counsel by mistake, Apple American Group shall have the right to request the return of the material and shall do so in writing. Within five days of the receipt of such request, Defendant and/or Defendant’s counsel shall return all such material if in hard copy, and in the case of electronic

materials, shall certify in writing that all copies of the specified material have been deleted from any location in which the material was stored.


9. The restrictions set forth in this Order to not apply to documents that are or become part of the public court record, including documents that have been received in evidence at other trials, nor do the restrictions this Order limit defense counsel in the use of discovery materials in judicial proceedings in this case.

10. Nothing contained in this Order shall preclude any party from applying to this Court for further relief or for modification of any provision hereof.

SO ORDERED in No. 18 CR 512

Date:

9-21-22



Hon. Harry D. Leinenweber
United States District Judge